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Docket No.: 275767US6

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/905,048

Applicants: Jun WATANABE, et al.

Filing Date: July 13, 2001

For: IMAGE RECORDING APPARATUS, IMAGE
RECORDING METHOD AND STORAGE MEDIUM

Group Art Unit: 2616

Examiner: Vincent Boccia

SIR:

Attached hereto for filing are the following papers:

ELECTION OF SPECIES

Our check in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 275767US6



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

JUN WATANABE ET AL.

: EXAMINER: VINCENT F. BOCCIO

SERIAL NO: 09/905,048

:

FILED: JULY 13, 2001

: GROUP ART UNIT: 2616

FOR: IMAGE RECORDING APPARATUS,
IMAGE RECORDING METHOD AND
STORAGE MEDIUM

ELECTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated November 23, 2005, Applicants provisionally elect the species of Group I, identified in the outstanding Official Action as corresponding to Figures 3-4, for further examination on the merits.

Applicants respectfully traverse the election requirement because it indicates there are no generic claims.

Claims 1, 5, and 9 at least cover species I, Figs. 3-4, pertaining to multiple events set that overlap in time, wherein only one event can be done at a given time and priority can be given to one of the two program events A & B. However, Claims 1, 5, and 9 are also generic, because they also cover Species II, Figs. 5-6. For example, Fig. 5 and Claims 2-4, 6-8, and 10-12 each include the step of judging if programs are simultaneously recordable, and if they

are judged not to be, the steps included in Claims 1, 5, 9 and Fig. 3 are then followed. Thus, all the steps of Claims 1, 5, and 9 are found in Fig. 3 as well as Fig. 5.

Accordingly, examination on the merits of Claims 1, 5 and 9 is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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